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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA, )

11 Plaintiff, )

12 v. )

2:10-CV-0828-LDG-PAL

13 \$446,121.27 IN UNITED STATES CURRENCY, )

14 Defendant. )

15 UNITED STATES OF AMERICA, )

16 Plaintiff, )

17 v. )

2:10-CV-0830-JCM-LRL

18 \$295,897.32 IN UNITED STATES CURRENCY, )

19 Defendant. )

20  
21 **MOTION FOR AN ORDER REASSIGNING CASES**

22 The United States of America, by and through Daniel G. Bogden, United States Attorney for  
23 the District of Nevada, and Drew Smith, Assistant United States Attorney, moves this Honorable  
24 . . .  
25 . . .  
26 . . .

1 Court for an Order assigning the cases named below to the same United States District Court Judge  
2 and the same United States Magistrate Judge because they are related cases.<sup>1</sup>

3 The grounds for reassigning, but not consolidating, are as follows: (1) the two civil actions  
4 involve the same parties and claims; (2) the two civil actions involve the same transactions and the  
5 same events; (3) the two civil actions involve the same questions of fact and the same questions of  
6 law; (4) the two civil actions would entail substantial duplication of labor if the actions were heard  
7 by different United States District Court Judges and by different United States Magistrate Judges.  
8 These factors meet the requirements the Court gave in determining whether cases are related.

9 The Court listed the factors in determining when cases would be considered related:

- 10 (1) both actions involve the same parties and are based on the same or similar claim;  
11 (2) both actions involve the same property, transaction or event;  
12 (3) both actions involve similar questions of fact and the same question of law and  
13 their assignment to the same District Judge and/or Magistrate Judge is likely to effect  
14 a substantial savings of judicial effort, either because the same result should follow in  
15 both actions or otherwise; or  
16 (4) for any other reasons, it would entail substantial duplication of labor if the actions  
17 were heard by different District Judges or Magistrate Judges.

16 General Order 2006-05.

17 The following two civil forfeiture in rem actions are related and should be assigned to the  
18 same United States District Court Judge and the same United States Magistrate Judge, but not  
19 consolidated. They are as follows:

20 *United States of America v. \$446,121.27 in United States Currency*, 2:10-CV-0828-LDG-PAL;

21 *United States of America v. \$295,897.32 in United States Currency*, 2:10-CV-0830-JCM-LRL.

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23 <sup>1</sup> On August 31, 2006, the Court issued General Order No. 2006-05, requiring counsel to file  
24 with the Court and to serve on all parties a "Notice of Related Cases" when filing actions that may be  
25 related to each other. This order states that the Court will determine whether to consolidate the  
26 actions. The United States does not want these civil cases consolidated and is only seeking that these  
actions be assigned to the same United States District Court Judge and the same United States  
Magistrate Judge.

1 The facts and circumstances relating to the two civil cases are the same. Accordingly, it would be in  
2 the interest of judicial economy to assign the above-named civil actions to the same United States  
3 District Court Judge and the same United States Magistrate Judge.

4 For the foregoing reasons, the United States of America requests that *United States of*  
5 *America v. \$446,121.27 in United States Currency*, 2:10-CV-0828-LDG-PAL, and *United States of*  
6 *America v. \$295,897.32 in United States Currency*, 2:10-CV-0830-JCM-LRL, be assigned to the same  
7 United States District Court Judge and the same United States Magistrate Judge, the Honorable Lloyd  
8 D. George and the Honorable Peggy A. Leen.

9 DATED this 16th day of June, 2010.

10 Respectfully submitted,

11 DANIEL G. BOGDEN  
12 United States Attorney

13 /s/ Drew Smith  
14 DREW SMITH  
15 Assistant United States Attorney

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18 IT IS SO ORDERED:

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21   
22 UNITED STATES DISTRICT JUDGE

23 DATED: 23 June 2010  
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